

IN THE COUNTY COURT, SEVENTH
JUDICIAL CIRCUIT, IN AND FOR
ST. JOHNS COUNTY, FLORIDA

STATE OF FLORIDA

CASE NO: MM1900622

VS.

STEPHEN SCOTT MCDANIEL /
DEFENDANT

CHARGES(S):
BATTERY (DOMESTIC VIOLENCE)

DEFERRED PROSECUTION AGREEMENT

COMES NOW the State of Florida, by and through its undersigned Assistant State Attorney, and enters into this Deferred Prosecution Agreement with the above-named Defendant.

1. As consideration for this Agreement, Defendant agrees that he/she will not commit any criminal offenses during the effective date of the Agreement and agrees to abide by all conditions outlined in this Agreement. Defendant also agrees to waive speedy trial under rule 3.191.
2. If the State discovers that Defendant has violated any criminal laws during the effective date of this Agreement, or if the State discovers that the Defendant has violated any conditions of this Agreement, this Agreement shall be rendered null and void and the State of Florida may recommence prosecution of this action. This provision includes violations which occur during the term of this Agreement but the State does not discover the violation(s) until after the scheduled date of completion of this Agreement.
3. Defendant acknowledges that he/she has the right to remain silent; that anything he/she says or admits (verbally or in writing) may be used against him/her in a court of law; that he/she is entitled to speak or talk to an Attorney before signing this Agreement, and to have the attorney present at any time; and that if he/she cannot afford an attorney, one will be appointed for him/her without cost.
4. The term of this Agreement shall be for 12 MONTHS, with possibility of early termination after 9 months, from the date of notarized signing by the Defendant or from the date of signing by the Assistant State Attorney authorized to sign this Agreement, whichever occurs last.
5. The undersigned Assistant State Attorney, or his/her successor, agrees to file a Notice of Completion of Deferred Prosecution Agreement (i.e. a dismissal) in this cause upon the successful completion by the Defendant of all terms and conditions of this agreement.
6. Defendant agrees to notify the State of any changes in his/her address until this Agreement is successfully completed.
7. Defendant neither admits nor denies the facts alleging a criminal law violation set forth in either the SA-798 or sworn witness statement(s).
8. Defendant shall waive any and all rights or remedies pertaining to speedy trial and/or "speedy file" as provided by Florida law.
9. SPECIAL CONDITIONS:
DEFENDANT AGREES TO:
 - A. DEFENDANT SHALL SUCCESSFULLY COMPLETE AN APPROVED BATTERER'S INTERVENTION PROGRAM AS DIRECTED BY PROBATION PLUS.
 - B. DEFENDANT SHALL NOT POSSESS OR CONSUME ALCOHOLIC BEVERAGES OR ANY OTHER MIND ALTERING SUBSTANCES.
 - C. DEFENDANT SHALL NOT ENTER BARS, LIQUOR STORES, OR ANY ESTABLISHMENT WHERE THE PRIMARY PURPOSE IS THE SALE OR CONSUMPTION OF ALCOHOLIC BEVERAGES.
 - D. DEFENDANT SHALL HAVE NO CONTACT WITH ALEXIS MCDANIEL.

- E. DEFENDANT SHALL NOT TRACK, LOCATE, OR MONITOR ALEXIS MCDANIEL, INCLUDING BUT NOT LIMITED TO THE UTILIZATION OF ELECTRONIC SURVEILLANCE, GPS, OR THIRD PARTY.
- F. DEFENDANT SHALL BE ABLE TO POSSESS FIREARMS AS A CONDITION OF HIS EMPLOYMENT WITHIN THE STATE OF WEST VIRGINIA. SHOULD THE DEFENDANT RETURN TO THE STATE OF FLORIDA HE WILL NOT POSSESS ANY FIREARMS.
- G. \$50.00 TO THE STATE ATTORNEYS OFFICE FOR COST OF PROSECUTION.
- H. \$50.00 TO ST JOHNS COUNTY SHERIFFS OFFICE FOR COST OF INVESTIGATION.
- I. \$20.00 CRIME STOPPERS PROGRAM, PO Box 731379, Ormond Beach, FL 32173
- J. COST OF PROSECUTION AND COST OF INVESTIGATION MAY BE PAID BY MONEY ORDER, CASHIER'S CHECK, OR ATTORNEY TRUST ACCOUNT CHECK. NO PERSONAL CHECKS ARE ACCEPTED.
- K. THIS PROSECUTION AGREEMENT IS TO BE SUPERVISED BY PROBATION PLUS, 665 STATE ROAD 207, UNIT 107, ST AUGUSTINE, FL 32084, TELEPHONE 904-824-8383, DEFENDANT MUST CONTACT PROBATION PLUS WITHIN TEN (10) DAYS OF SIGNING OF THIS AGREEMENT. DEFENDANT IS RESPONSIBLE FOR \$50.00 A MONTH COST OF SUPERVISION. IF RANDOM U/A'S ARE REQUIRED, THE DEFENDANT IS RESPONSIBLE FOR COSTS OF TESTING.

This is the entire Agreement between the parties. Defendant acknowledges that he/she is entering into this Agreement freely and voluntarily, that by signing (executing) this Agreement he/she certifies that he/she has read the Agreement, that he/she understands this Agreement, and that he/she agrees to comply with all of the terms and conditions of this Agreement.

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DEFENDANT'S SIGNATURE

ADDRESS:

9585 Dry Fork Rd
HENDRICKS WV 26271

PHONE NO.:

304-838-0542

DATE SIGNED:

4/24/19

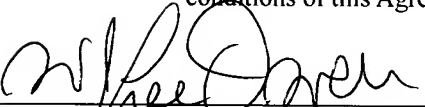
DEFENDANT'S ATTORNEY

(If Applicable)

ADDRESS:

- E. DEFENDANT SHALL NOT TRACK, LOCATE, OR MONITOR ALEXIS MCDANIEL, INCLUDING BUT NOT LIMITED TO THE UTILIZATION OF ELECTRONIC SURVEILLANCE, GPS, OR THIRD PARTY.
- F. DEFENDANT SHALL BE ABLE TO POSSESS FIREARMS AS A CONDITION OF HIS EMPLOYMENT WITHIN THE STATE OF WEST VIRGINIA. SHOULD THE DEFENDANT RETURN TO THE STATE OF FLORIDA HE WILL NOT POSSESS ANY FIREARMS.
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- I. \$20.00 CRIME STOPPERS PROGRAM, PO Box 731379, Ormond Beach, FL 32173
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BENJAMIN J. RICH *William Owen*
ASSISTANT STATE ATTORNEY
SEVENTH JUDICIAL CIRCUIT

Florida Bar No.: ~~0013894~~ 1010290

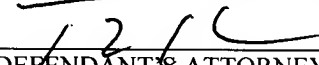
DATE SIGNED: 4/25/19

DEFENDANT'S SIGNATURE

ADDRESS: _____

PHONE NO.: _____

DATE SIGNED: 4/25/19


DEFENDANT'S ATTORNEY

(If Applicable)

ADDRESS: 2801 N. THIRD W ST.
ST. AUGUSTINE, FL 32084

PHONE NO.: 904-824-5711

660891